

# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for RIDING STABLES, (i.e., 88 ft. North in B.C. 2.R. Sections 1A01.2.C. 17 and 1A03.3.B.9).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: ALVIN C. MONSHOWER, JR.  
(Type or Print Name)  
Signature [Signature]  
Address 9th Ave. North, Clark St.  
City and State Bethesda, Md.  
Attorney's Telephone No.: 752-3678

Legal Owner(s): Joseph S. Edwards  
(Type or Print Name)  
Signature [Signature]  
Address 3334 Butler Road  
City and State Glyndon, Maryland 21071  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
McKee & Associates, Inc.  
Name \_\_\_\_\_  
Address Shawon Road, 21030  
City and State \_\_\_\_\_  
Phone No. 252-5820

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of September, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of November, 1986, at 10:00 o'clock A.M.

[Signature]  
Zoning Commissioner of Baltimore County.

z.c.o.-No. 1 (over)

IN RE: PETITION FOR SPECIAL EXCEPTION  
N/S of Butler Road, approx.  
150' E of Dover Road  
(3334 Butler Road)  
5th Election District

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Case No. 87-211-X

Joseph S. Edwards  
Petitioner

The Petitioner herein requests a special exception to use the property described herein for riding stables.

Testimony by and on behalf of the Petitioner indicated that the subject property, a 30.6 acre site, was purchased in November 1985 and is improved with a dwelling, a one-story barn with 8 horse stalls, a two-story barn with animal run-ins, and two storage buildings, all as shown on the plan submitted prepared by McKee & Associates, Inc., revised March 20, 1987, and identified as Petitioner's Exhibit 4. Currently there is a fenced riding ring and a riding stable. The contract operator for the stable has had 11 years of experience in teaching riding and managing riding stables. She is considering acquiring a partner or assistant or hiring part-time help. She will provide riding lessons for owners and their children and train and show the boarded horses/ponies. There will be no shows on the site. Currently there are 19 horses/ponies on the site, some of which are pasture boarders. There is no fence along the west property line and, at the present time, the Petitioner has verbal approval for the animals to run on the adjacent property. The Petitioner proposes to construct an additional one-story barn with 16 stalls for the private riding stable where stalls will be leased to private owners. There will be no public rental of horses for riding. Riding lessons are provided for owners and their children. The Petitioner would like to offer field boarding in addition to the 24 stalls of stable boarding. Riding will be permitted 7 days a week but only on the land zoned RC 2, not on the RC 4 zoned land. The Petitioner is willing to revoke the contract of a per-

son whose horse is ridden on private property without prior approval. Horse trailers will not be stored on the site on a continuous basis. There are no trails or signs other than the name of the farm, currently Timber Grove. Animal waste will be stored temporarily in an area adjacent to the existing two-story barn and picked up by tractor-trailer from a company on call when needed. The Petitioner has already contacted the Baltimore County Soil Conservation District. The surveyor testified that, in his opinion, a riding stable would be in character and keeping with the neighborhood.

A number of Protestants appeared and were represented by Counsel. Testimony was given that Piney Run, a Loch Raven Reservoir tributary, floods over its banks several times each year and goes up to and beyond the 395' level and to the barns on the instant site. A former owner found it impossible to adequately fence the property line, which crosses Piney Run in several locations. The intensity of the use proposed will exceed the use when the farm was 200 acres or so and before two large portions were sold off and will overcrowd the land. Erosion is a potential problem. The site is part of a historical district and parts of nearby farms have been contributed to the Maryland Trust. The neighbor who shares the road had that road paved and maintains the shoulders. He, as well as other Protestants, are of the opinion that the riding stables will be an inappropriate commercial use in the neighborhood. Heavy travel, a large indoor ring, lights, excess manure storage, signs, advertising and the difficulty of restricting riding from the RC 4 land on site and from other privately-owned land were all concerns of the Protestants. Several persons were of the opinion that 8 stalls and horses were the maximum number appropriate for the site.

Pursuant to the advertisement, posting of property and public hearing held in this case, in the opinion of the Deputy Zoning Commissioner, strict con-

pliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the petitioner. The requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected. Therefore, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 31st day of August, 1987, that a special exception to use the property described herein for riding stables, in accordance with Petitioner's Exhibit 4, be approved, and as such, the Petition for Special Exception be and is hereby GRANTED, subject to the following restrictions:

- The Petitioner shall register immediately with the Baltimore County Soil Conservation District, develop a conservation plan of best management practices and obtain approval of that plan within 12 months from the date of this Order. The Soil Conservation District shall determine the maximum number of horses to be permitted and shall incorporate into the plan deadlines which must be met. Manure removal shall be specified. A copy of the approved plan shall be submitted for this file.
- There shall be no horse/pony/riding shows on the site. Horse trailers shall not be stored on the site unless inside a building. Motor vehicles shall be parked in areas designated on Petitioner's Exhibit 4.
- Any additional buildings constructed in connection with the riding stable shall be of similar style and appearance (paint, etc.) as the existing buildings.
- Outdoor lighting shall not be installed for riding.
- Horses/ponies from the riding stable may not be ridden on privately-owned land unless the Petitioner has written approval from the owner and a copy of that approval is submitted to this office for the file.
- The land zoned RC 4 shall be visually delineated and no riding shall occur thereon.
- Only owners or their families or designees shall ride and/or take riding lessons. The owner shall be present to supervise if anyone other than a family member is riding. There shall be no horses kept for hire.

ORDER RECEIVED FOR FILING  
Date 9/30/87  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 9/30/87  
By [Signature]

- The only sign permitted shall name the farm and not exceed one square foot in size.
- The owner/petitioner shall reside on the site so long as there is a riding stable in operation. At any such time as the owner/petitioner no longer lives on site, the riding stable shall cease operation.

[Signature]  
Deputy Zoning Commissioner  
of Baltimore County

ORDER RECEIVED FOR FILING  
Date 9/30/87  
By [Signature]

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494.3333  
J. Robert Haines  
Zoning Commissioner

August 31, 1987



Dennis F. Rasmussen  
County Executive

Alvin C. Monshower, Jr., Esquire  
1 North Charles Street, 9th Floor  
Baltimore, Maryland 21201

RE: Petition for Special Exception  
N/S of Butler Road, approx. 150' E of Dover Road (3334 Butler Road)  
5th Election District  
Case No. 87-211-X  
Joseph S. Edwards - Petitioner

Dear Mr. Monshower:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Special Exception has been Granted, subject to the restrictions noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:jbs  
Enclosures

cc: Cynthia Amling, Esquire, attorney for Protestants  
1100 Charles Center South, 36 S. Charles Street, Baltimore, Md. 21201

Mr. Rick Dills, Baltimore County Soil Conservation District,  
9811 Van Buren Lane, Cockeysville, Md. 21030

People's Counsel  
File

DESCRIPTION OF PROPERTY OF  
JOSEPH S. EDWARDS  
3334 BUTLER ROAD

Beginning for the same at a point situated in the bed of Butler Road a distance of 150 feet East of Dover Road, said point also being situated on the 22nd line a bearing and distance of North 81° 36' 30" East 50.00 feet from the end thereof as described in Parcel 1 of deed dated February 16, 1979, and recorded among the land records of Baltimore County in Liber 5992, Folio 152, thence leaving said road and running with a new line of division North 01° 43' 10" West 1586.70 feet to a point, said point being the beginning of the 4th line of Parcel 2 in above mentioned deed; thence running with and binding on said 4th and 5th lines North 40° 17' 18" East 836.79 feet to a point; thence South 35° 27' 00" East 460.00 feet to a point; said point being the beginning of the 8th line of Parcel 1 of the above mentioned deed; thence running with and binding on said 8th line North 61° 21' 00" East 4.59 feet to a point; thence leaving said 8th line running with the following 6 new lines of division with a curve to the right having a radius of 125.00 feet, an arc length of 91.06 feet and being subtended by a chord bearing and distance of South 66° 55' 49" East 89.06 feet to a point; thence South 13° 56' 21" West 188.35 feet to a point; thence South 10° 24' 22" West 195.87 feet to a point; thence South 08° 54' 16" West 417.01 feet to a point; thence South 06° 59' 18" West 176.39 feet to a point; thence South 04° 35' 43" East 705.08 feet to a point intersecting the 22nd line of Parcel 1 of the above mentioned deed, said point also being in or near the bed of Butler Road; thence running with and binding on said 22nd line South 81° 36' 30" West 671.95 feet to the point of beginning. Containing 30.6001 acres of land more or less.

September 10, 1986

PETITION FOR SPECIAL EXCEPTION

5th Election District  
Case No. 87-211-X

LOCATION: North Side of Butler Road, approximately 150 feet East of Dover Road (3334 Butler Road)  
DATE AND TIME: Tuesday, November 25, 1986, at 10:00 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:  
Petition for Special Exception for riding stables.

Being the property of Joseph S. Edwards, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
N/S of Butler Rd., approx. 150'  
E of Dover Rd. (3334 Butler Rd.): OF BALTIMORE COUNTY  
JOSEPH S. EDWARDS, Petitioner : Case No. 87-211-X

ENTRY OF APPEARANCE

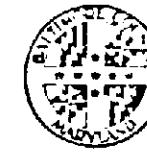
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 31st day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Joseph S. Edwards, 3334 Butler Rd., Glyndon, MD 21071, Petitioner; and McKee & Associates, Inc., 5 Shawan Rd., Baltimore, MD 21030, who requested notification.

Peter Max Zimmerman  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-0353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

November 19, 1986

Mr. Joseph S. Edwards  
3334 Butler Road  
Glyndon, Maryland 21071

RE: PETITION FOR SPECIAL EXCEPTION  
N/S of Butler Rd., approx. 150' E of Dover Rd. (3334 Butler Rd.)  
5th Election District  
Joseph S. Edwards - Petitioner  
Case No. 87-211-X

Dear Mr. Edwards:

This is to advise you that \$62.62 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please enter the check number in the space provided on the back of this receipt. County, Maryland, and remit to, Towson, Maryland  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 025963

DATE: \_\_\_\_\_ ACCOUNT: \_\_\_\_\_  
AMOUNT: \$ \_\_\_\_\_  
RECEIVED FROM: \_\_\_\_\_  
FOR: \_\_\_\_\_  
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 5th Date of Posting: 11-19-86  
Posted for: Special Exception  
Petitioner: Joseph S. Edwards  
Location of property: N/S of Butler Road, approx. 150' E of Dover Road (3334 Butler Road)  
Location of Sign: South side of Butler Road, approx. 400' East of Dover Road on front of subject property  
Remarks: \_\_\_\_\_  
Posted by: Arnold Jablon Date of return: 11-19-86  
Number of Signs: 1

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

PETITION FOR SPECIAL EXCEPTION  
5th Election District  
Case No. 87-211-X  
LOCATION: North Side of Butler Road, approximately 150 feet East of Dover Road (3334 Butler Road)  
DATE AND TIME: Tuesday, November 25, 1986, at 10:00 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:  
Petition for Special Exception for riding stables  
Being the property of Joseph S. Edwards, as shown on plat plan filed with the Zoning Office.  
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Y that the annexed Reg. 106.04.00 P.O. 162437  
1) Successive weeks days previous November 1986 in the  
ity Times, a daily newspaper published in Westminster, Carroll County, Maryland.  
1) News, a weekly newspaper published in Baltimore County, Maryland.  
Times, a weekly newspaper published in Baltimore County, Maryland.  
TY NEWSPAPERS OF MARYLAND, INC.  
Per: James E. Dyer

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 6, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 6, 1986.

THE JEFFERSONIAN,

Simon S. D. Christ  
Publisher

22.00

Mr. Joseph S. Edwards  
3334 Butler Road  
Glyndon, Maryland 21071

October 17, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION  
N/S of Butler Rd., approx. 150' E of Dover Rd. (3334 Butler Rd.)  
5th Election District  
Joseph S. Edwards - Petitioner  
Case No. 87-211-X

TIME: 10:00 a.m.  
DATE: Tuesday, November 25, 1986  
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 025963  
DATE: 11/19/86 ACCOUNT: 01-615  
AMOUNT: \$ 100.00  
RECEIVED FROM: McKee & Associates, Inc.  
FOR: Filing Fee for Special Exception Item 110  
B 8005\*\*\*\*\*1000012 2118F  
EDWARDS - Petitioner  
VALIDATION OR SIGNATURE OF CASHIER

87-211-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of September, 1986

Petitioner: Joseph S. Edwards  
Petitioner's Attorney

Arnold Jablon  
Zoning Commissioner  
Received by: James E. Dyer  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Norman E. Gortler, AICP, Director  
FROM: Office of Planning and Zoning

Date: November 17, 1986

SUBJECT: Zoning Petition No. 87-211-X

Although a riding stable is an appropriate use in this zone, there are some details that should be reviewed prior to final decision: 1) a delineation of the riding area, trails, etc.; and 2) an explanation as to the protection of the R.C. 4 zoned portion of the property.

Norman E. Gortler  
Norman E. Gortler, AICP  
Director

NEG:JGH:slb

RECEIVED  
NOV 17 1986  
ZONING OFFICE

CABLE, MCDANIEL, BOWIE & BOND

ONE NORTH CHARLES STREET  
BALTIMORE, MARYLAND 21201 3793

(301) 762-3680

November 26, 1986

Jean M.H. Jung  
Deputy Zoning Commissioner  
Room 109  
County Office Building  
111 West Chesapeake Avenue  
Towson, MD 21204

Re: Joseph S. Edwards -- Petition for Special Exception (Case No. 87-211-X)

Dear Ms. Jung:

Pursuant to your request, enclosed you will find the current form of the Horse Boarding Agreement for inclusion in the record relative to the above captioned matter. Section 12 and 13 of the Agreement address themselves to limitations as to riding areas and rules and regulations applicable to the owners of the horses.

Please feel free to call should you have any questions.

Very truly yours,

Alvin C. Monshower, Jr.  
Alvin C. Monshower, Jr.

ACH/dlw

Enclosures

cc: Cynthia S. Ambling, Esquire - w/enclosures

RECEIVED  
NOV 28 1986  
ZONING OFFICE



OWNER'S NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_ PHONE NO. ( ) - -  
EMERGENCY PHONE NO. ( ) - -  
NAME OF HORSE: \_\_\_\_\_  
BREED: \_\_\_\_\_ AGE: \_\_\_\_\_  
INJURIES OR DISEASES \_\_\_\_\_  
\_\_\_\_\_  
CURRENT COGGINS TEST (Date) \_\_\_\_\_  
TETANUS INOCULATION (Date) \_\_\_\_\_  
RABIES INOCULATION (Date) \_\_\_\_\_  
VETERINARIAN'S NAME: \_\_\_\_\_  
PHONE NO. ( ) - -  
SPECIAL NEEDS, OR PECULIARITIES OF ANIMAL: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. BOARDING FEE. Owner shall pay a boarding fee in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) per month for each horse or pony boarded at Timber Grove Farm. Said boarding fee shall be due and payable,

3. SECURITY DEPOSIT. For each horse or pony to be boarded, Owner shall pay a security deposit in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) at the time of the signing of this Agreement. Said security deposit shall be held by Timber Grove Farm as security for unpaid boarding fees,

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9. INSURANCE. Timber Grove Farm shall have no duty or obligation to insure animals boarded and no such insurance will be taken by Timber Grove Farm. Insurance shall be the sole responsibility of Owner.

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12. RIDING FACILITIES. Owner, at Owner's sole risk, may utilize Timber Grove Farm for riding purposes during reasonable hours. Timber Grove Farm assumes no responsibility for the use of the premises for riding purposes and makes no warranties, express or implied, that the premises are fit or safe for horse back riding. Owner hereby expressly assumes the risk for injury

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5. SERVICES TO BE PROVIDED. Timber Grove Farm shall provide one (1) stall for each horse or pony to be boarded under this Agreement. The animals will be turned out to pasture one (1) time during each twenty-four (24) hour period except under circumstances where Timber Grove Farm, in its sole discretion, believes that the best interest of the animal would best be served by not turning the animal out. Animals will be returned to stable one (1) time during each twenty-four (24) hour period. Timber Grove Farm will provide all hay, bedding and feed up to eight (8) quarts of feed per day and will be responsible for the regular cleaning of stalls. The hours for the turning out of the animals and their return to the stable shall be determined solely by Timber Grove Farm. The types and quantities of hay, bedding and feed shall be selected and determined by Timber Grove Farm in its sole discretion. In the event an animal shall require more than eight (8) quarts of feed at any daily feeding, a charge of Twenty-Five Cents (\$.25) per quart will be paid by Owner as an

- (a) No person under the age of sixteen (16) years shall be allowed on the premises unless accompanied by an adult over the age of sixteen (16) years.
- (b) No trash or debris shall be thrown upon the premises.
- (c) No smoking or lighted matches shall occur or be used within fifty (50) feet of the stable area or stored hay facilities.
- (d) No alcoholic beverages or illegal drugs shall be brought upon or ingested on the premises.
- (e) Motor vehicles shall be parked in designated area only.

•

7. MEDICAL CONDITION OF ANIMALS. It shall be Owner's sole and exclusive duty to ascertain the medical need of each horse or pony boarded by Owner including the treatment of injuries or

5

15. RELEASE AND INDEMNIFICATION. Owner, by the execution of the Agreement, hereby expressly releases Timber Grove Farm, its agents, servants, employees, owners and successors in interest from any and all liability of every type and nature arising directly or indirectly from the boarding and riding of animals upon the premises, including, but not limited to: death, injury or disease of the animal; medical treatment of the animal;

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theft of or damage to the animal, tack, equipment, property, or motor vehicles of Owner or others; death, injury or disease caused to other animals by Owner's animal or by Owner or others; and death or injury to any person including bystanders, Owner, Owner's family, agents, employees, guests and invitees or the theft of property owned by them or in their custody and control; Owner personally and for his or her heirs, estates, and personal representatives, does hereby indemnify and hold Timber Grove Farm harmless from all claims, causes of action, judgment, damages, costs, expenses, and all other matters, of any type and nature, whether direct or indirect, arising out of the boarding and riding of the animal upon the premises and Owner further agrees to pay all costs incurred by Timber Grove Farm, including reasonable attorney fee, to defend against any suit, cause of action or claim brought by Owner or other persons or entities against Timber Grove Farm and arising out of the boarding, maintenance, or riding of Owner's animal upon the premises.

16. **ASSIGNMENT.** This Agreement shall not be assigned by Owner without the prior written consent of Timber Grove Farm, whose consent may be arbitrarily and capriciously withheld and any attempted assignment by Owner with prior written consent shall be null and void and of no further legal effect.

17. **ENTIRE AGREEMENT.** This writing represents the entire agreement of the parties and neither party shall be bound to any terms and conditions except as herein contained or Amendments in writing hereto.

9

WITNESS the signatures and seals of the parties hereto.

TIMBER GROVE FARM

By: \_\_\_\_\_ (SEAL)  
Joseph S. Edwards

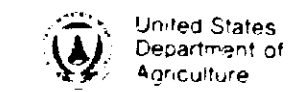
\_\_\_\_\_  
Owner (SEAL)

\_\_\_\_\_  
Owner (SEAL)

10

STUART S. JANNEY, JR.  
LOCUST HILL FARM  
3012 BUTLER ROAD  
GLYNDON, MARYLAND 21071

TELEPHONE  
(301) 832-4266



Soil  
Conservation  
Service

9811 Van Buren Lane  
Cockeysville, Maryland 21030

November 25, 1986

To Whom It May Concern:

Mr. Shannon Edwards is currently working with our office to develop a soil and water conservation plan for his property on Butler Road.

Rick Dills,  
District Conservationist

*Butler Road and Stuart S. Janney, Jr.  
to hereby make heretofore and agree that  
Stuart S. Janney, Jr. in his name  
and on his behalf to represent us and  
to take such actions as he may deem  
appropriate to oppose the granting of  
permission or exception to allow the  
construction or operation of facilities for  
a commercial riding stable or school  
on the property Butler Road including  
approving before any governmental or zoning  
authority or court of law concerned with  
the matter*

*Stuart S. Janney, Jr.  
Shannon Edwards*

*Butler Road*

*Butler Road*

RD:jc  
The Soil Conservation Service  
is a part of the  
Department of Agriculture

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 17, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Chairman

MEMBERS  
Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. Joseph S. Edwards  
3334 Butler Road  
Glyndon, Maryland 21030

RE: Item No. 110 - Case No. 87-211-X  
Petitioner: Joseph S. Edwards  
Petition for Special Exception

Dear Mr. Edwards:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: McKee & Associates, Inc.  
5 Shawan Road  
Hunt Valley, Maryland 21030

Maryland Department of Transportation  
State Highway Administration

RECEIVED  
OCT 9 1986  
ZONING OFFICE

William K. Hellmann  
Secretary  
Hal Kassoff  
Administrator

October 1, 1986

Mr. A. Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Att: Mr. James Dyer

Re: ZAC Meeting of 9-23-86  
ITEM: #110.  
Property Owner: Joseph S. Edwards  
Location: N/S Butler Road, Route  
128, 150' E. Dover Road  
Existing Zoning: R.C. 4 & R.C.2  
Proposed Zoning: Special Exception  
for riding stables  
Area: 30.6001 acres  
District: 5th Election District

Dear Mr. Jablon:

On review of the submittal of 9-10-86 and field inspection, the State Highway Administration recommends the existing entrance at Butler Road, Route 128 be improved to show the following:

1. Standard 35' entrance width.
2. 30' radii.
3. 10' tangents each side of the entrance.
4. Taper to meet the edge of existing roadway (25').

Attached for your use and review is a sketch showing the requested improvement.

Very truly yours,

*Charles Lee*  
Charles Lee, Chief  
Bureau of Engineering  
Access Permits

By: George Wittman

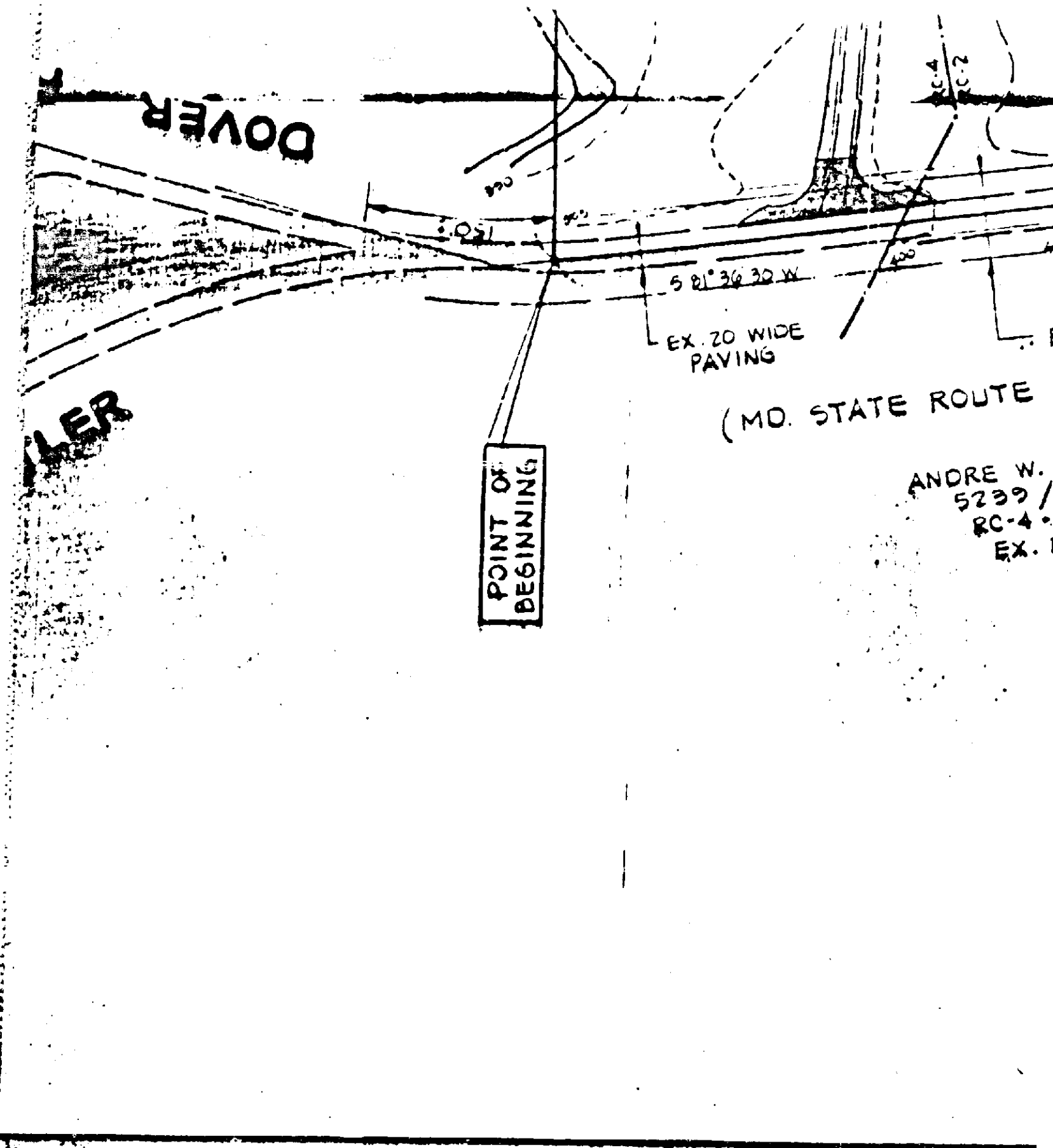
CL:GW:maw

Attachment

cc: Mr. J. Ogle

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free  
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



DALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GERBER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

OCTOBER 28, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 23, 1986  
Item # 110  
Property Owner: JOSEPH S. EDWARDS  
Location: N/S BUTLER RD. 150' E. OF  
DOVER RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on
- ☐ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Hoswell

David Fields, Acting Chief  
Current Planning and Development

3-3-86



STEPHEN E. COLLINS  
DIRECTOR

October 2, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 103 A, 104, 105, 106, 108, 109, 110, 111, 112, and 114.

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 110 Zoning Advisory Committee Meeting of 9-23-86  
Property Owner: Joseph S. Edwards  
Location: N/S Butler Rd. District 5  
Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

Zoning Item # 110 Zoning Advisory Committee Meeting of 9-23-86  
Page 2

- ( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- (x) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- (x) Others existing private water supply has been identified as a dry well in poor physical condition. Existing supply must be abandoned and properly plugged and sealed.

Ian V. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

PAUL H. RENCKE  
CHIEF

September 23, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Joseph S. Edwards

Location: N/S Butler Road, 150' E. Dover Road

Item No.: 110

Zoning Agenda: Meeting of 9/23/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- (x) 3. The vehicle dead end condition shown at 300' turnaround or cul-de-sac required.

EXCEEDS the maximum allowed by the Fire Department.

- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1986 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Paul H. Rencke  
Planning and Zoning  
Special Inspection Division

Noted and Approved: Errol N. Markowitz  
Fire Prevention Bureau

/mb

September 29, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 110 Zoning Advisory Committee Meeting are as follows:

Property Owner: Joseph S. Edwards  
Location: N/S Butler Road, 150 feet E Dover Road  
District: 5th.

APPLICABLE ITEMS ARE CIRCLED:

- ( ) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( ) A building and other miscellaneous permits shall be required before the start of any construction.
- ( ) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- ( ) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ( ) All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406, and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ( ) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- ( ) The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- ( ) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Mixed Use \_\_\_\_\_ See Section 312 of the Building Code.
- ( ) The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the 1st and the finish floor levels including basement.
- ( ) Comments:
- ( ) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of a permit. If desired, the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

Mark S. Flanigan  
Btl. C. E. Burman, Chief  
Building Plans Section

4/9/86

List of Protestants in Case no. 87-211-X  
(Petition for Special Exception for Riding Stables  
at 3334 Butler Road)

NAME (Please Print)	ADDRESS	SIGNATURE
1. Mr + Mrs Rufus Williams	3328 Butler Rd. 21071	Rufus Williams
2. Mrs. Anna M. Williams	13941 Monticello Rd. 21071	Anna M. Williams
3. Mr + Mrs. James Williams	2001 Butler Rd. 21071 - future location	James Williams
4. Mr. + Mrs. Thomas S. Horne	2620 Butler Rd. 21071	Thomas S. Horne
5. Mr. + Mrs. Stuart S. Jawney III	15326 Falls Rd Butler Rd 21023	Stuart S. Jawney III
6. Mr + Mrs. Stuart S. Jawney Jr.	Locust Hill Farm Glyndon MD 21071	Stuart S. Jawney Jr.
7. Mr. Samuel H. Shriver Jr.	14526 Acorn Rd Glyndon MD 21071	Samuel H. Shriver Jr.
8. Mrs. Anne Brown	3321 Butler Rd Glyndon Maryland 21071	Anne Brown
9. Mrs. Patsy S. Cochran Jr.	3342 Butler Rd Glyndon 21071	Patsy S. Cochran Jr.
10. Mrs. Sheila Jones	4017 Shadybrook Rd. 21071	Sheila Jones
11. Mrs. Courtney Jenkins	13466 Gwyneth Rd. 21071	Courtney Jenkins
12. CHARLES C. FENWICK JR.	2609 Butler Rd, BUTLER MD 21071	Charles C. Fenwick Jr.
13. Iva Gilt	14300 Gwyn Rd Glyndon	Iva Gilt
14. SHERLOCK S. GILLET	14300 Gwyn Rd Glyndon	Sherlock S. Gillet
15. LINDA P. Green	2300 Gwyn Rd. 21071	Linda P. Green
16. Richard W. Pruitt	3934 Butler Rd 21071	Richard W. Pruitt
17. Charles Moore	14531 Gwyn Rd Glyndon	Charles Moore
18. Phillip W. Norvall	3115 Black Rock Rd 21071	Phillip W. Norvall
19. Douglas V. Coker III	3027 Black Rock Rd 21071	Douglas V. Coker III
20. Joan McH. McH. McH.	13301 MARYLAND RD - 21071	Joan McH. McH. McH.
21.		
22.		
23.		

NAME (Please Print) ADDRESS SIGNATURE

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TIMBER GROVE FARM  
FULL HORSE BOARDING AGREEMENT

OWNER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ZIP CODE: \_\_\_\_\_ PHONE NO. ( ) - \_\_\_\_\_

EMERGENCY PHONE NO. ( ) - \_\_\_\_\_

NAME OF HORSE: \_\_\_\_\_

BREED: \_\_\_\_\_ AGE: \_\_\_\_\_

INJURIES OR DISEASES \_\_\_\_\_

CURRENT COGGINS TEST (Date) \_\_\_\_\_

TETANUS INOCULATION (Date) \_\_\_\_\_

RABIES INOCULATION (Date) \_\_\_\_\_

VETERINARIAN'S NAME: \_\_\_\_\_

PHONE NO. ( ) - \_\_\_\_\_

SPECIAL NEEDS, OR PECULIARITIES OF ANIMAL: \_\_\_\_\_

THIS AGREEMENT, Made this \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_\_\_, by and between Timber Grove Farm and \_\_\_\_\_ ("Owner").

1. BOARDING FEE. Owner shall pay a boarding fee in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) per month for each horse or pony boarded at Timber Grove Farm. Said boarding fee shall be due and payable,

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

in advance, on the first day of each calendar month. Owner agrees to pay a late charge of ten percent (10%) of the boarding fee for all payments received by Timber Grove Farms on or after the seventh (7th) day of each month. The boarding fee shall be pro-rated on a thirty (30) day month basis for each horse or pony boarded at Timber Grove Farm prior to the first day of the month and the boarding fee for the full first month of board, plus any pro-rata portion of a month, shall be paid at the time of the signing of this Agreement by Owner. There will be no refunds or pro-rata return of any boarding fee at any time.

2. ADDITIONAL CHARGES. Owner agree to pay all charges incurred by Timber Grove Farm for the care, maintenance and medical treatment of each horse or pony boarded, as provided for in this Agreement, as an additional boarding fee. Said additional boarding fee shall be due and payable on the first day of the month following receipt by Owner of an itemized bill for such additional charges. Owner agrees to pay a late charge of ten percent (10%) of the additional boarding fee for all payments received by Timber Grove Farm on or after the seventh (7th) day of the month in which such additional boarding fee became due and payable.

3. SECURITY DEPOSIT. For each horse or pony to be boarded, Owner shall pay a security deposit in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) at the time of the signing of this Agreement. Said security deposit shall be held by Timber Grove Farm as security for unpaid boarding fees,

2

additional boarding fees and damages which may be caused by the animal or owner. Said security deposit shall not bear interest to Owner and shall be returned to Owner as herein provided following the termination of this Agreement.

4. TERM OF BOARDING. This Agreement shall be for an initial term commencing from the date of this Agreement and ending on the last day of the month in which the animal is initially boarded at Timber Grove Farm and, thereafter, on a month to month basis.

5. SERVICES TO BE PROVIDED. Timber Grove Farm shall provide one (1) stall for each horse or pony to be boarded under this Agreement. The animals will be turned out to pasture one (1) time during each twenty-four (24) hour period except under circumstances where Timber Grove Farm, in its sole discretion, believes that the best interest of the animal would best be served by not turning the animal out. Animals will be returned to stable one (1) time during each twenty-four (24) hour period. Timber Grove Farm will provide all hay, bedding and feed up to eight (8) quarts of feed per day and will be responsible for the regular cleaning of stalls. The hours for the turning out of the animals and their return to the stable shall be determined solely by Timber Grove Farm. The types and quantities of hay, bedding and feed shall be selected and determined by Timber Grove Farm in its sole discretion. In the event an animal shall require more than eight (8) quarts of feed at any daily feeding, a charge of Twenty-Five Cents (\$.25) per quart will be paid by Owner as an

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additional boarding fee. Timber Grove Farm shall not be responsible for the grooming of animals. In the event Owners shall desire additional services for the animal such as special feed, exercise, grooming or similar needs, Owner and Timber Grove Farm, if they so elect, shall enter into a separate addendum to the Agreement which sets forth the rights and obligations of the parties concerning such additional services. Nothing herein, however, shall preclude Owner personally from turning out, feeding or caring for the animal.

6. MEDICAL REQUIREMENTS. Each horse or pony boarded shall have a current Coggins Test (within twelve months) and shall be tested annually thereafter by Owner at Owner's expense. Owner shall provide Timber Grove Farm with a current certificate of a satisfactory Coggins Test prior to boarding the animal and shall annually, thereafter, provide proof of Coggins Test to Timber Grove Farm. Each horse or pony shall have current rabies and tetanus inoculation and Owner shall provide Timber Grove Farm with the current certificates of such inoculation prior to boarding the animal and annually, thereafter, as required. Timber Grove Farm shall provide the animal boarded with a regular worming program with treatments on a semi-annual basis. The costs of such worming will be charged to Owner as an additional boarding fee.

7. MEDICAL CONDITION OF ANIMALS. It shall be Owner's sole and exclusive duty to ascertain the medical need of each horse or pony boarded by Owner including the treatment of injuries or

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disease. Timber Grove Farm shall have and undertakes no duty to inspect animals for injuries or disease.

8. EMERGENCY MEDICAL CARE. In the event emergency medical treatment of an animal becomes necessary in order to protect the life or limb of a boarded animal, Timber Grove Farm will first attempt to contact Owner for the necessary treatment. If Owner cannot be contacted, Timber Grove Farm will contact the veterinarian whose name appears above to arrange treatment. In the event the veterinarian cannot be contacted, Timber Grove Farm, in its sole discretion, shall contact an alternate veterinarian for emergency treatment. Owner hereby consents to such emergency treatment and irrevocably authorizes and empowers Timber Grove Farm to act on behalf of Owner and to consent to any emergency medical treatment which, in the sole discretion of Timber Grove Farm, is in the best interest of the animal. Owner further agrees that the costs of any such emergency medical treatment shall be the sole responsibility of Owner and Owner agrees to pay such costs directly to the treating veterinarian. Timber Grove Farm shall have no obligation to pay for said emergency medical treatment and shall, in no circumstance, be obligated to advance monies as a condition for the rendering of such emergency medical treatment to any boarded animal.

9. INSURANCE. Timber Grove Farm shall have no duty or obligation to insure animals boarded and no such insurance will be taken by Timber Grove Farm. Insurance shall be the sole responsibility of Owner.

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10. TACK. Owner shall provide all tack and shall be responsible for the safeguarding of tack and all other equipment brought to Timber Grove Farm by Owner.

11. TERMINATION. This Agreement may be terminated by either party upon thirty (30) days prior written notice in which event this Agreement shall cease on the last day of the month immediately following the month that receipt of said notice to terminate is received. Timber Grove Farm may terminate this Agreement upon seven (7) days prior written notice to Owner for any breach of or default under the terms and conditions of this Agreement by Owner. In the event of termination, there shall be no pro-rata refund or return of the boarding fee or additional security deposit to Owner within thirty (30) days following termination of this Agreement except that Timber Grove Farm may deduct from said security deposit any unpaid boarding fees, additional boarding fees, late charges, or costs for damages caused by the animal or Owner on or about Timber Grove Farm during the period of board. No interest shall accrue or be paid to Owner on said security deposit.

12. RIDING FACILITIES. Owner, at Owner's sole risk, may utilize Timber Grove Farm for riding purposes during reasonable hours. Timber Grove Farm assumes no responsibility for the use of the premises for riding purposes and makes no warranties, express or implied, that the premises are fit or safe for horse back riding. Owner hereby expressly assumes the risk for injury

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or death to Owner, Owner's family, agents, employees, guests, and invitees. Owner shall further be responsible for all damages to fences, or improvements occurring during horse back riding. Timber Grove Farm expressly reserves the right to prohibit riding on designated portions of the premises and to prohibit riding by persons who, in the sole discretion of Timber Grove Farm, are not qualified, responsible, or capable of safe and proper riding activities.

13. RULES AND REGULATIONS. Owner shall at all times adhere to the following rules and regulations and shall be responsible for conformance to these rules and regulations by all family members, agents, employees, guests, and invitees:

- (a) No person under the age of sixteen (16) years shall be allowed on the premises unless accompanied by an adult over the age of sixteen (16) years.
- (b) No trash or debris shall be thrown upon the premises.
- (c) No smoking or lighted matches shall occur or be used within fifty (50) feet of the stable area or stored hay facilities.
- (d) No alcoholic beverages or illegal drugs shall be brought upon or ingested on the premises.
- (e) Motor vehicles shall be parked in designated areas only.

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- (f) The privacy and property rights of others and adjoining property owners shall be respected and maintained at all times.

Timber Grove Farm reserves the right to amend, promulgate and adopt additional rules and regulations from time to time which it deems in its sole discretion to be advisable and Owner hereby consents and agrees to abide by such rules and regulations as though expressly incorporated by reference herein.

14. THEFT. Owner acknowledges that the premises and stable area are unsecured areas to be used by others and expressly assumes the risk of loss caused by the theft of the animal or equipment of Owner. Timber Grove Farm assumes no responsibility for the theft of the animal or equipment of Owner, including motor vehicles, and assumes no duty to secure or safeguard said animals or equipment. Timber Grove Farm is not a bailee for said animals or equipment and no bailment, express or implied, is hereby created. Timber Grove Farm assumes no duty or obligation to ascertain or verify whether persons taking or riding the animal of Owner has the authority to do so.

15. RELEASE AND INDEMNIFICATION. Owner, by the execution of the Agreement, hereby expressly releases Timber Grove Farm, its agents, servants, employees, owners and successors in interest from any and all liability of every type and nature arising directly or indirectly from the boarding and riding of animals upon the premises, including, but not limited to: death, injury or disease of the animal; medical treatment of the animal;

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theft of or damage to the animal, tack, equipment, property, or motor vehicles of Owner or others; death, injury or disease caused to other animals by Owner's animal or by Owner or others; and death or injury to any person including bystanders, Owner, Owner's family, agents, employees, guests and invitees or the theft of property owned by them or in their custody and control; Owner personally and for his or her heirs, estates, and personal representatives, does hereby indemnify and hold Timber Grove Farm harmless from all claims, causes of action, judgment, damages, costs, expenses, and all other matters, of any type and nature, whether direct or indirect, arising out of the boarding and riding of the animal upon the premises and Owner further agrees to pay all costs incurred by Timber Grove Farm, including reasonable attorney fee, to defend against any suit, cause of action or claim brought by Owner or other persons or entities against Timber Grove Farm and arising out of the boarding, maintenance, or riding of Owner's animal upon the premises.

16. ASSIGNMENT. This Agreement shall not be assigned by Owner without the prior written consent of Timber Grove Farm, whose consent may be arbitrarily and capriciously withheld and any attempted assignment by Owner with prior written consent shall be null and void and of no further legal effect.

17. ENTIRE AGREEMENT. This writing represents the entire agreement of the parties and neither party shall be bound to any terms and conditions except as herein contained or Amendments in writing hereto.

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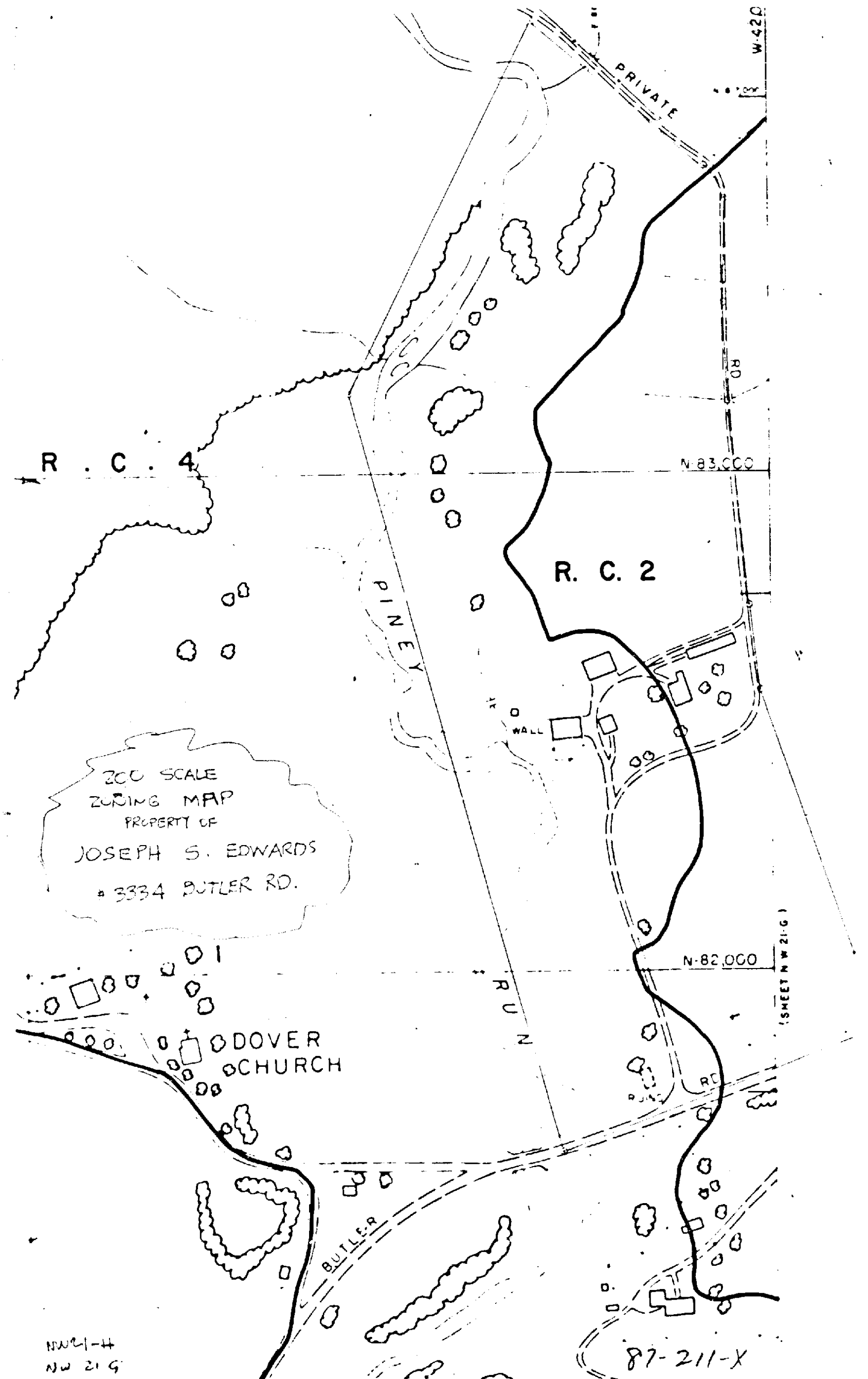
WITNESS the signatures and seals of the parties hereto.

TIMBER GROVE FARM

By: \_\_\_\_\_ (SEAL)  
Joseph S. Edwards

\_\_\_\_\_  
Owner (SEAL)

\_\_\_\_\_  
Owner (SEAL)



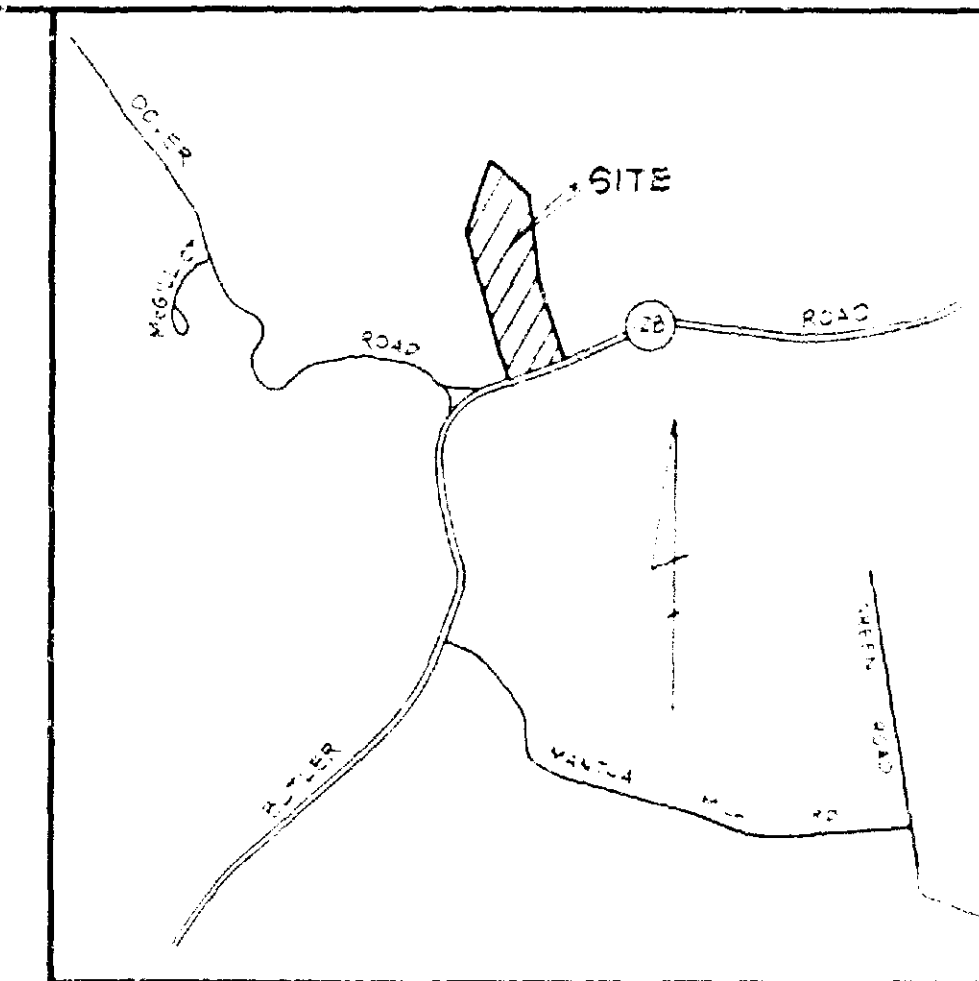


# **BUILDING USES**

- A - PROPOSED 1 STORY BARN  
PROPOSED USE - HORSE STABLE - 3 STALLS
- B - EXISTING 1 STORY BARN  
PROPOSED USE - HORSE STABLE - 2 STALLS
- C - EXISTING 2 1/2 STORY DWELLING  
EX USE - RESIDENTIAL
- D - EXISTING WOOD STORAGE BUILDING  
EX USE - HAYN STORAGE
- E - EXISTING 2 STORY WOOD BARN  
EX USE - HAYN STORAGE, CATTLE RUN IN
- F - EXISTING WOOD STORAGE BUILDING  
EX USE - STORAGE

# **NOTES**

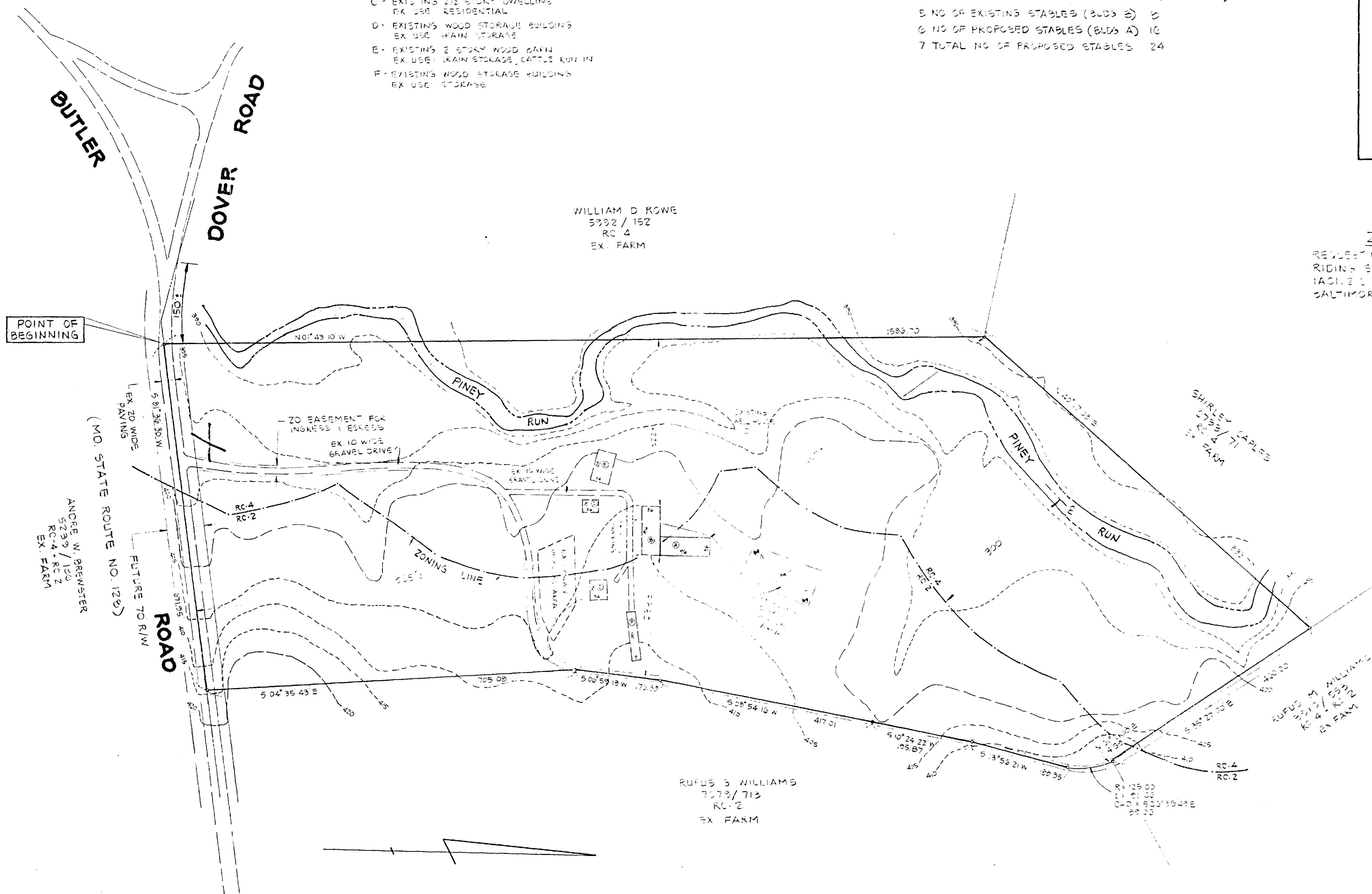
- EXISTING ZONING RC 24 RC 4
- 2 AREA OF PARCEL 50,000 AC.
- 3 PARKING REQUIRED (NO REQUIREMENT)
- 4 PARKING PROPOSED 10 SPACES (1X12 EACH)
- 5 NO OF EXISTING STABLES (BUDS B) 0
- 6 NO OF PROPOSED STABLES (BUDS A) 10
- 7 TOTAL NO OF PROPOSED STABLES 24



VICINITY MAP  
SCALE 1" = 1000'

# **ZONING REQUEST**

REQUESTING A SPECIAL EXCEPTION TO ALLOW RIDING STABLES AS SET FORTH IN SECTION 17-17 AND 17-18 B D OF THE BALTIMORE COUNTY ZONING REGULATIONS



*James W. McKee*  
JAMES W. MCKEE  
(MD. REG. NO. 3012)  
DATE

McKEE & ASSOCIATES, INC.		DATE	REVISION
CIVIL ENGINEERS & LAND SURVEYORS		9/11/80	AS PER FILING MEETING
SHAWAN PLACE			
5 SHAWAN ROAD - HUNT VALLEY, MARYLAND 21030			
(301) 252-5820			

**OWNER**  
JOSEPH S. EDWARDS  
3334 BUTLER RD.  
GLYNDEN, MD. 21071  
DEED REFERENCE 7050/400  
TAX MAP 32 PARCEL 133  
ACCOUNT NO. 0000005911

PLAT TO ACCOMPANY  
PETITION FOR  
**SPECIAL EXCEPTION TO ZONING**  
AT  
**= 3334 BUTLER ROAD**

5TH ELECTION DISTRICT  
BALTIMORE CO. MD. ELECTED  
SEPTEMBER 1980